

REMARKS

Claims 5-6 and 9-12 stand rejected under § 112. Applicants disagree that the statement “and/or” is contradictory, but have amended the independent claims to substitute “or” for “and/or”, without narrowing the scope of the claims. “Or” as used in the claims is not used in an exclusive manner, i.e., to mean only one or the other, but not both. “Or” is intended to encompass either an object alone, an item alone, or both an object and an item. Withdrawal of this rejection is respectfully requested on this basis.

Claims 2-12 stand rejected under § 103 on the basis of Mohaban et al., Haddock et al. and Rogers et al. Applicants traverse this rejection because none of the references, particularly Haddock, disclose or suggest changing a monitoring policy by increasing the frequency of monitoring and adding a new object or item to the coverage of the monitoring, as in the independent claims of the present application.

The examiner acknowledges that Mohaban does not disclose a monitoring policy changing means that increases the frequency of monitoring and adds a new object or item to the coverage of the monitoring, when degradation in the service level of the network is observed, and argues that Haddock discloses that feature. However, the cited portions of Haddock reveal that Haddock merely reroutes traffic according to one or more QoS policies. The policies are set by the operator, and traffic is directed in accordance with QoS policies set for different traffic groups. The QoS profile attributes or policies set by the operator include minimum band width, maximum band width, peak band width, maximum delay and relative priority. Col. 8, lines 1-5. The policies are not changed by the program, as in the

present invention, and the frequency of monitoring is not increased, as in the present invention. For these reasons, withdrawal of this rejection is respectfully requested.

For the foregoing reasons, applicants believe that this case is in condition for allowance, which is respectfully requested. The examiner should call applicants' attorney if an interview would expedite prosecution.

Respectfully submitted,

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